

IN THE DRAWINGS:

Submitted herewith are three replacement sheets of drawings with amendments for the Figures 2, 3, 4, 5, and 6.

### REMARKS

Applicant has amended Claim 1 and has further amended the Figures 2-6 by way of the three replacement sheets. Applicant respectfully submits that these amendments to the application are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims and drawings as amended.

The Examiner has objected to the drawings, stating that the reference 11' is not shown therein. As is clear from the replacement sheets, the reference 11' is now contained therein and Applicant respectfully requests that the Examiner withdraw his objection.

The Examiner has objected to the Claim 1 because of a certain informality. Applicant has corrected this informality and respectfully requests that the Examiner withdraw his objection.

The Examiner has rejected the Claim under 35 U.S.C. 112, second paragraph, stating that the claim is indefinite. In view of the amendments to Claim 1, Applicant respectfully submits that Claim<sup>1</sup> complies with the requirements of 35 U.S.C. 112, second paragraph.

The Examiner has rejected the Claims 1 and 2 under 35 U.S.C. 103 as being obvious over Chen, stating that Chen discloses a tile cutter comprising a base stand 20, a protruding rib 19 disposed on the base stand 20, guide rails 11 installed above the protruding rib 19, an operating lever 15 provided on the guide rails 11 so as to be movable while being guided by the guide rails 11, a rotary blade 30 and a pressing member 40 installed on a base portion 14e of the operating lever 15, the rotary blade 30 forming a cut in a surface of a tile 2 that is placed on the base stand 20, and the pressing member 40 for pressing the tile surface on both sides of the cut so as to press and split the tile 2, the pressing member 40 is swingably provided on the base portion 14 of the operating lever 15 near a blade supporting shaft 17 of the rotary blade 30, a pressing member supporting shaft that supports the pressing member 40 on the base portion 14 of the operating lever 15 is provided above and slightly rearward of the blade supporting shaft that supports the rotary blade, but does not expressly disclose the pressing member comprising a pair of pressing plates connected by a C-shaped connecting element with a hollow space in between; but it is the Examiner's opinion that absent an advantage, such a construction would have been obvious to one of ordinary skill in the art.

In reply thereto, Applicant would like to first point out that Applicant's invention does provide an advantage over the prior art. In particular, by the construction of Applicant's invention, tile can be cut more easily and efficiently than in the prior art such as Chen.

Still further, Applicant's review of Chen indicates that Chen does not disclose the elements of Applicant's invention. In particular, Applicant respectfully submits that element 40, together with element 41 in Chen, are packing blocks (see column 2, lines 50-55), and are not pressing plates as in Applicant's invention. Still further, Applicant respectfully submits that the packing blocks of Chen are for setting the cutting angle of the cutter 30 and the pitch between the bar 19 and the cutter 30 (see column 1, lines 43-48) and are not pressing plates for the purpose of pressing and splitting the tile. Still further, Applicant respectfully submits that not only is there no hollow space provided between the packing blocks 40 and 41, but also the rotary cutter 30 does not enter into such a hollow space when the operating rod is raised such that the pressing member assumes a swinging position.

In view of the above, therefore, Applicant respectfully submits that the Claims 1 and 2 are not obvious over Chen.

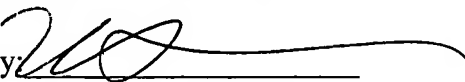
Applicant further respectfully and retroactively requests a two-month extension of time to respond to the Office Action, and respectfully requests that the extension fee in the amount of \$225 be charged to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

In view of the above, therefore, it is respectfully requested that this amendment be entered, favorably considered, and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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